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Sixth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
New York, 6-10 June 2016

Draft Outcome of the Sixth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

1. In the context of the Sixth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, States considered the implementation of the Programme of Action and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons.

2. States also reiterated their grave concern about the illicit manufacture, transfer and circulation of small arms and light weapons and their excessive accumulation and uncontrolled spread in many regions of the world, which have a wide range of humanitarian and socioeconomic consequences, such as impeding the provision of humanitarian assistance to victims of armed conflict, and pose a serious threat to peace, reconciliation, safety, security, stability and sustainable development at the individual, local, national, regional and international levels.

3. States reaffirmed their respect for and commitment to their obligations under international law and the purposes and principles enshrined in the Charter of the United Nations, as well as those set out in the Programme of Action, including its eighth to eleventh preambular paragraphs.

4. States reiterated that Governments bear the primary responsibility for preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects, in accordance with the sovereignty of States and their relevant international obligations.

5. States welcomed the progress made in implementing the Programme of Action and the International Tracing Instrument since their adoption, including on the establishment, strengthening and enforcement of national laws, regulations and

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administrative procedures to prevent the illicit trade and illegal manufacture of small arms and light weapons, the development of national action plans, the establishment of national points of contact, the submission of voluntary national reports and the strengthening of subregional and regional cooperation. They also welcomed progress made in implementing stockpile management and security, the collection and destruction of illicit small arms and light weapons, the marking of small arms and light weapons, technical training and information sharing.

6. Bearing in mind the different situations, capacities and priorities of States and regions, States noted the continuing challenges to the implementation of the Programme of Action and the International Tracing Instrument, including the need for enhanced international cooperation and assistance, as well as the implications of new developments in small arms and light weapons manufacturing, technology and design for the implementation of the Programme of Action and the International Tracing Instrument.

7. Building on the agreed outcome documents of the Second Review Conference and BMS5, also bearing in mind the MGE2 discussions, including the Chair's Summary, and preparing the ground for a substantive, forward-looking Third Review Conference, States underlined the continued relevance and vital importance of the Programme of Action and the International Tracing Instrument and reaffirmed their commitment to the full and effective implementation of the Programme of Action and the International Tracing Instrument over the period 2012-2018, in accordance with the implementation measures adopted at the 2012 United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/2012/RC/4, annexes I and II) and endorsed by the General Assembly in its resolution 67/58.

I. Consideration of the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects, at the national level, the regional level — including through regional and subregional arrangements and organizations — and at the global level, and in light of the 2030 Agenda for Sustainable Development

8. States reiterated the importance of national laws, regulations and administrative procedures, interagency coordination, and, where they exist, national action plans to the full and effective implementation of the PoA.

9. States recognized that they may, at their discretion, apply the provisions of the PoA to material additional to that mentioned in the definition of small arms and light weapons contained in the ITI.

10. States noted the increase in the illicit on-line trade in small arms and light weapons.

11. States underlined the growing importance of brokering activities in the international transfer of small arms and light weapons, and noted the need to establish adequate national control measures to prevent illicit brokering.

12. States emphasized the importance of end-user certificates and end-use certification to small arms and light weapons export-licensing procedures.

13. States recognized that the choice of standards and procedures that they establish for the management and security of small arms and light weapons stockpiles, in line with the provisions of the PoA, is a national prerogative.

14. States noted the importance of the adequate management of national small arms and light weapons stockpiles, including sustainable life-cycle management, for minimizing the risk of diversion, including through theft, loss and unauthorized re-export, of small arms and light weapons to illicit markets, illegal armed groups, terrorists and other unauthorized recipients, for preventing accidental explosions and protecting the environment, and for improving the control, storage and record-keeping of small arms and light weapons.

15. States stressed the importance of stockpile management and security, not only to the storage of small arms and light weapons, but also to their transportation, movement and transfer, at the national level.

16. States noted that the inadequate management of stockpiles of small arms, light weapons and ammunition remains a concern, due to the risk of their diversion to illicit markets.

17. States recognized the importance of preventing, combating and eradicating the illicit use of materials for terrorism and transnational organized crime.

18. States noted the opportunities new technologies, when available, can offer for enhanced small arms and light weapons stockpile management and security, including through improved marking and record-keeping, and for the destruction of surplus small arms and light weapons that they have designated for destruction.

19. States noted that voluntary national reports on the implementation of the PoA can serve, inter alia, to provide a baseline for measuring progress in PoA implementation; build confidence and promote transparency; provide a basis for information exchange and action; and serve to identify needs and opportunities for international assistance and cooperation, including the matching of needs with available resources and expertise.

20. States highlighted the utility of exchanging information on standards and practices they use to combat the illicit trade in small arms and light weapons.

21. States noted the policy implications of 3D-printed small arms, including the problem of illicit manufacture of such arms for the implementation of the PoA.

22. States welcomed the inclusion of small arms and light weapons in the scope of the Arms Trade Treaty.

23. States acknowledged efforts related to the transfer of conventional arms that may also contribute to the prevention and eradication of the illicit trade in small arms and light weapons.

24. States welcomed the adoption of the 2030 Agenda for Sustainable Development, including Sustainable Development Goal (SDG) 16 and SDG Target 16.4.

25. States acknowledged, in line with the 2030 Agenda, that sustainable development cannot be realized without peace and security and that peace and security will be at risk without sustainable development.

26. States noted that the illicit trade in small arms and light weapons has implications for the realization of several SDGs, including those relating to peace, justice and strong institutions, poverty reduction, economic growth, health, gender equality, and safe cities and communities.

27. States underlined the importance of the full and effective implementation of the PoA and ITI for attaining SDG Goal 16 and SDG Target 16.4.

28. States noted that SDG Target 16.4 can be used to establish baselines and measure progress in national-level implementation of the PoA and ITI, including progress made in the implementation of national action plans, where they exist.

29. States encouraged the development of national-level indicators, based on the PoA and ITI, which could be used to measure progress made in the implementation of SDG Target 16.4.

30. States acknowledged the importance of addressing the root causes of armed conflict, armed violence, terrorism and transnational organized crime in combating the illicit trade in small arms and light weapons in all its aspects.

31. States reaffirmed the importance of promoting dialogue and a culture of peace through education and public awareness programmes on the problems of the illicit trade in small arms and light weapons in all its aspects, involving all sectors of society.

32. States noted that the full and effective implementation of the PoA helps to prevent the acquisition of small arms and light weapons by terrorists, thus reducing the potential impact of their attacks.

The Way Forward

Bearing in mind the different situations, capacities and priorities of States and regions, and in order to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects, States undertake:

33. To ensure that destroyed and deactivated small arms and light weapons are rendered permanently inoperable such that illicit reactivation is physically impossible, and recognizing the value of relevant best practices in this regard.

34. To encourage the utilization of good practices and lessons learned, including the voluntary use of standardized implementation guidelines for the full and effective implementation of the PoA.

35. To strengthen, as necessary, border controls by establishing and enforcing laws, regulations and administrative procedures that effectively combat the illicit trade in small arms and light weapons across borders.

36. To reinforce, as necessary, cross-border cooperation at the national, subregional and regional levels in addressing the problem of the illicit trade in small arms and light weapons in all its aspects as a shared responsibility.

37. To coordinate, as appropriate, national-level implementation of the PoA with relevant subregional, regional and international instruments, and with related issues and processes, including disarmament, demobilization, and reintegration; border controls; organized crime; terrorism; urban crime; relevant resolutions of the

Security Council and the General Assembly; and related capacity-building initiatives.

38. To take into account complementarities between the PoA and relevant subregional, regional and global instruments in which Member States participate, including those that are legally binding, in order to enhance, as appropriate, national-level coordination on the implementation of the PoA.

39. To share best practices in physical stockpile management and security, as well as permanent weapons deactivation, in order to prevent the diversion of small arms and light weapons to illicit markets, illegal armed groups, terrorists and other unauthorized recipients, including in conflict and post-conflict situations.

40. To continually assess national stockpiles for surpluses and to responsibly dispose, preferably through destruction, of small arms and light weapons that no longer meet operational needs.

41. To submit, in a timely manner, comprehensive national reports on PoA implementation for the Third Review Conference in 2018.

42. To combine, as appropriate, reporting under the PoA with reporting under other instruments, including the 2030 Agenda for Sustainable Development and regional instruments, in order to minimize administrative reporting burdens.

43. To encourage States, in reporting on their implementation of the PoA, to highlight progress made in implementing the relevant goals and targets of the 2030 Agenda on Sustainable Development.

44. To request the Secretariat, within existing resources, starting with the Third Review Conference, to conduct biennial analyses of implementation trends, challenges and opportunities, based on national PoA and ITI reports, in order to support future implementation efforts.

45. To establish or strengthen subregional, regional and cross-regional cooperation, coordination and information-sharing mechanisms, including the sharing of best practices, in order to support PoA implementation.

46. To draw, as appropriate, on subregional and regional efforts, including those of the UN regional centres, to develop and share best practices and standards for combating the illicit trade in small arms and light weapons.

47. To encourage, where relevant, subregional and regional organizations to align the timing of their meetings with the global cycle of meetings, so as to ensure, as appropriate, a maximum of synergies between actions taken at the national, subregional, regional and global levels, such as improved efficiency and the enhanced sharing of information and good practices.

48. To encourage cooperation, coordination and information sharing between relevant subregional, regional and international organizations, specifically with a view to avoiding the duplication of efforts in implementing the PoA.

49. To encourage regional and subregional organizations to identify areas of comparative advantage in assisting States in combating the illicit trade in small arms and light weapons.

50. To strengthen the role of UN regional centres for peace and disarmament in supporting PoA implementation.

51. To develop, as appropriate, in coordination with relevant subregional and regional organizations, proposals for assistance in combating the illicit trade in small arms and light weapons.

52. To encourage meetings of national points of contacts in order to strengthen coordination and the exchange of information and best practices between States, including at the subregional and regional levels.

53. To identify opportunities for strengthening measurement of progress in national implementation of the PoA.

54. To strengthen, as appropriate, the contribution of civil society, and of industry, to the implementation of the PoA.

55. To take advantage, with the assistance of the UN, of national reports under the PoA, to support data collection for relevant SDG indicators.

56. In implementing the PoA and ITI in light of the 2030 Agenda for Sustainable Development, to encourage the establishment and strengthening of cooperation and partnerships at all levels among governments, international and intergovernmental organizations, and civil society.

57. To encourage States and the WCO, as well as other relevant organizations, to enhance cooperation with INTERPOL in identifying and acting against groups and individuals involved in the illicit trade in small arms and light weapons, including illegal armed groups, terrorists and other unauthorized recipients.

58. To encourage the UN Security Council to consider, on a case-by-case basis, enhancing the role of UN peacekeeping missions, in line with their mandates and capacities and with the consent of host States, in combating the illicit trade in small arms and light weapons.

59. To take account, in post-conflict reconstruction programmes, where appropriate and with the consent of concerned States, of the problems and consequences of the illicit trade in small arms and light weapons in all its aspects, including through peace-building, disarmament, demobilization and reintegration, and security sector reform.

60. To take account, in post-conflict settings, of the needs of affected States for assistance in implementing the PoA.

61. To take account of the differing impacts of illicit small arms and light weapons on women, men, girls and boys in policies and programmes designed to combat the illicit trade in small arms and light weapons.

62. To promote the meaningful participation and representation of women in PoA-related policy-making, planning and implementation processes, including their participation in national small arms commissions and in programmes relating to community safety and conflict resolution, taking into account General Assembly resolution 65/69 on women, disarmament, non-proliferation and arms control and subsequent resolutions on that question, as well as Security Council resolution 1325 (2000) and follow-up resolutions, including Security Council resolution 2242 (2015).

63. To encourage the collection of disaggregated data on gender and the illicit trade in small arms and light weapons, in particular for purposes of improving associated national policies and assistance programmes.

64. To seriously consider increasing funding for policies and programmes that take account of the differing impacts of illicit small arms and light weapons on women, men, girls and boys.

65. To enhance international cooperation in combating the illicit trade in small arms and light weapons linked to drug trafficking, transnational organized crime and terrorism, including with UN counter-terrorism mechanisms.

66. To consider, at the Third Review Conference in 2018, the implications for the PoA of recent developments in small arms and light weapons manufacturing, technology and design, bearing in mind the different situations, capacities and priorities of States and regions.

II. Consideration of the implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, including recent developments in small arms and light weapons technology and their implications for the International Tracing Instrument

67. States noted that the effective tracing of small arms and light weapons can serve to strengthen measures that combat the illicit trade in small arms and light weapons.

68. States recognized the importance of developing or establishing strict national regulatory frameworks for the marking, recording and tracing of small arms and light weapons in line with the ITI, including for purposes of enhancing control over small arms and light weapons.

69. States also recognized the importance of marking and record-keeping for the management and security of small arms stockpiles, including inventory management and accounting control.

70. States noted the linkages between the implementation of the ITI and the UN Firearms Protocol for those States that are parties to the Protocol.

71. States noted the complementary role that the exchange of ballistics information and the use of ballistics databases, including the provision of technical and financial assistance for the purpose of strengthening national capacities, can play in combating the illicit trade in small arms and light weapons.

72. States acknowledged the need to implement the commitments on marking, record-keeping and tracing contained in the ITI regardless of the materials or methods used in the manufacture of small arms and light weapons, such as polymer frames/receivers and additive manufacturing techniques.

73. States acknowledged the need to identify in national laws and regulations, including for modular weapons, the essential or structural component for the purpose of unique marking in line with paragraph 10 of the ITI.

74. States noted the policy implications of 3D-printed small arms, including the problem of illicit manufacture of such arms, for the implementation of the ITI.

75. States also noted the policy implications of the illicit conversion of replica small arms and light weapons into real small arms and light weapons for the implementation of the ITI.

76. States further noted that the tracing of illicit small arms and light weapons in conflict and post-conflict situations can support broader conflict prevention, crisis management and peacebuilding policies and programmes involving all relevant parties.

77. States highlighted the value of the collection and exchange of small arms and light weapons information, including tracing information, in conflict and post-conflict situations, as well as information on illicit brokering, to combat the illicit trade in small arms and light weapons.

The Way Forward

Bearing in mind the different situations, capacities and priorities of States and regions, and in order to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects, States undertake:

78. To take advantage, with the assistance of the UN, of national reports under the ITI, to support data collection for relevant SDG indicators.

79. To continue to mark, record and trace small arms and light weapons in accordance with the provisions of the International Tracing Instrument.

80. To encourage those States and international and regional organizations in a position to do so to provide technical assistance for the development of marking, record-keeping and tracing systems that support the implementation of the ITI.

81. To enhance dialogue with industry, especially regarding the effective marking of small arms and light weapons, in light of recent developments in small arms and light weapons manufacturing, technology and design.

82. To urge States in a position to do so to increase assistance to developing countries in order to bridge the technological divide between States in small arms and light weapons marking, record-keeping and tracing systems, where it exists.

83. To apply the commitments of the ITI to all small arms and light weapons regardless of the methods of manufacture, including 3D printing.

84. As necessary, upon request, to assist States and relevant bodies, organs and missions of the United Nations, as well as relevant subregional and regional organizations, to build capacity for the collection and exchange of information, including tracing information, on illicit small arms and light weapons in conflict and post-conflict situations.

85. In accordance with the provisions of the ITI, to strengthen the tracing of small arms and light weapons in conflict and post-conflict situations, including through the provision of capacity-building assistance, for purposes of identifying and containing the flow of illicit small arms and light weapons into such zones, providing early warning of destabilizing flows of such weapons and preventing conflict, including through the voluntary use of tools such as INTERPOL's iARMS system.

86. To encourage States, in accordance with their laws and administrative procedures, relevant United Nations entities, intergovernmental, regional and subregional organizations, in a position to do so and where appropriate, to cooperate and share information relevant to the illicit transfer, destabilizing accumulation or misuse of small arms and light weapons with potentially affected States and with relevant United Nations entities, including experts groups assisting sanctions committees and peacekeeping missions.

87. To enhance the exchange of tracing results between appropriate authorities at the national, subregional, regional and global levels in conformity with the provisions of the ITI, in order to prevent the diversion of small arms and light weapons to illicit markets.

88. To make full use of information on illicit trade routes and diversion methods, revealed by tracing, in order to strengthen PoA implementation.

89. To enhance cooperation with INTERPOL in identifying and tracing diverted small arms and light weapons.

90. In accordance with the provisions of the ITI, to share and analyse information relating to the illicit trade in small arms and light weapons in order to identify trends and patterns.

91. To strengthen the exchange and use of information on the illicit trade in small arms and light weapons, as well as diversion to illicit markets, including through the use of web-based databases, such as those of INTERPOL (iARMS and IBIN databases).

92. To consider, at the Third Review Conference in 2018, the implications for the ITI of recent developments in small arms and light weapons manufacturing, technology and design.

III. Consideration of international cooperation and assistance for the full and effective implementation of the Programme of Action and International Tracing Instrument, including capacity-building:

(a) Ways to strengthen the implementation of the PoA and ITI through the provision of training, equipment and the transfer of technology

93. States underlined the importance of sustainable outcomes and impacts when designing and implementing cooperation and assistance programmes and, for this purpose, ensuring these programmes have national ownership and provide for the training of relevant national authorities and for the establishment of personnel career structures that retain, sustain and strengthen knowledge and skills in recipient States.

94. States noted the importance of staff training, adequate infrastructure and equipment, maintenance capacity, inventory management and record-keeping to the management and security of small arms and light weapons stockpiles.

95. States stressed the importance of the transfer of technology and equipment, and the accompanying need for measures, such as capacity building, to maintain transferred equipment.

(b) Ways to ensure the adequacy, effectiveness and sustainability of assistance for the implementation of the PoA and the ITI, including financial and technical assistance

96. States emphasized that international cooperation and assistance remain essential to the full and effective implementation of the PoA and ITI.

97. States noted the value of further drawing on the expertise available in developing countries in providing international cooperation and assistance for the full and effective implementation of the PoA and the ITI.

98. States also noted that national reports can be used to identify assistance needs and match them with available resources and expertise.

99. States emphasized that donors should, in consultation with the recipient country, aim to build sustainable capacity by, inter alia, identifying potential barriers to sustainability at the design phase, along with opportunities for complementary programming that can mitigate these barriers.

100. States noted that arrangements, such as the Group of Interested States in Practical Disarmament Measures, can assist in matching needs and resources for PoA and ITI implementation.

101. States also noted the opportunity for synergies between projects designed to support implementation of the PoA and ITI and SDG-related projects.

102. States further noted the need to update, when required, national action plans in order to reflect, inter alia, progress made in PoA and ITI implementation.

103. States acknowledged the need for continued and sustainable financial and technical assistance in support of PoA and ITI implementation, also in light of related commitments undertaken in the 2030 Agenda for Sustainable Development.

The Way Forward

Bearing in mind the different situations, capacities and priorities of States and regions, and in order to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects, States undertake:

104. To explore options for building sustainable capacity for the life-cycle management of small arms and light weapons stockpiles (normative frameworks, structures and procedures, training, personnel management, financing and infrastructure).

105. To take into account, when designing small arms assistance programmes, other related programmes with a view to avoiding duplication, maximizing coordination and complementarity, and enhancing the effectiveness of assistance programmes.

106. To urge States in a position to do so to build and sustain the capacity of requesting States, including through the provision of related equipment, for

enhanced information exchange and cooperation for the purpose of combating the illicit cross-border trade in small arms and light weapons.

107. To urge States in a position to do so to build and sustain the capacity of requesting States for small arms and light weapons identification, tracing and control in conflict and post-conflict situations, consistent with the provisions of the PoA and the ITI, including through training for law enforcement.

108. To identify synergies between assistance aimed at supporting small arms marking, record-keeping and tracing and that aimed at strengthening the management and security of small arms and light weapons stockpiles.

109. To increase national capacity to take account of diversion risks when assessing applications for small arms and light weapons export authorizations, and to put in place, where they do not exist, adequate laws, regulations and administrative procedures, consistent with the existing responsibilities of States under relevant international law, to ensure effective control over the export, transit and import of small arms and light weapons, including the use of end-user certificates and end-use certification, and effective legal and enforcement measures.

110. To encourage States in a position to do so to build and sustain the capacity of requesting States to report on small arms and light weapons that have been seized and which have been recorded and traced.

111. To urge States in a position to do so to build and sustain the capacity of requesting States for the sustainable life-cycle management of small arms and light weapons stockpiles, including associated equipment and maintenance needs.

112. To ensure the suitability and sustainability of technology and equipment designated for transfer.

113. To encourage States in a position to do so to provide developing countries, upon request, with technology and equipment and related training, and to build maintenance capacity, essential for the effective implementation of the PoA and the ITI.

114. To improve the coordination of assistance and programmes among donors, between donors and recipients and among relevant national authorities.

115. To ensure national ownership of international assistance projects by, inter alia, involving national authorities in the project planning and implementation cycle and tailoring assistance to local structures and procedures.

116. To increase the sustainability of international assistance through the allocation by the recipient country of financial, administrative and other resources, bearing in mind the different situations, capacities and priorities of States and regions.

117. To identify, prioritize and communicate assistance needs, and to develop specific project proposals to that end.

118. To enhance the effectiveness of assistance frameworks by, inter alia, strengthening measurability, evaluation and coordination.

119. To encourage the sharing of information on assistance projects, including lessons learned and best practices.

120. To urge States and relevant regional and subregional organisations in a position to do so to enhance their financial contributions to:

(a) The region-specific trust funds of the UN regional centres on peace and disarmament; and

(b) Other UN trust fund arrangements devoted to supporting the full and effective implementation of the PoA and the ITI.

121. To request the Secretariat:

(a) To update the comprehensive study on the adequacy, effectiveness and sustainability of financial and technical assistance, including the transfer of technology and equipment, particularly to developing countries, since 2001, for the full and effective implementation of the PoA, and to submit this study to the Third Review Conference for its consideration and appropriate follow-up;

(b) To prepare and submit, for consideration at the Third Review Conference, an updated report on options for the enhanced funding of activities relating to the implementation of the PoA and the ITI, including existing funding arrangements; and for the establishment of programmes for the training of relevant officials nominated by their respective Governments;

(c) To continue to collaborate with relevant research and training institutions, particularly those from developing countries, on activities addressing the illicit trade in small arms and light weapons, including the sharing of rosters of experts, including experts from developing countries, where relevant; and

(d) To include among the globally available web-based resources it provides, relevant information, such as studies, publications and other resources, related to the implementation of the PoA and the ITI.

IV. Other issues and topics of relevance for the effective implementation of the Programme of Action and the International Tracing Instrument

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